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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEAT SACK, INC.,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
CHILDCRAFT EDUCATION CORP.;	:	CASE NO. 07-CIV-3344 (RJH)(DFE)
US OFFICE PRODUCTS COMPANY;	:	
US OFFICE PRODUCTS NORTH	:	
ATLANTIC DISTRICT, INC.; and	:	
SCHOOL SPECIALTY, INC.,	:	
	:	
Defendants.	:	
-----	X	

**DECLARATION OF MARK E. SCHMIDT**

1. I am one of the attorneys for Defendants School Specialty, Inc. and Childcraft Education Corp. ("Childcraft Defendants") in the above-captioned matter.
2. Attached hereto as Exhibit A is a true and correct copy of information available on the United States Patent and Trademark Office website that indicates no trademark registration has been issued for the Seat Sack.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 23rd day of August, 2007.

A handwritten signature in black ink, appearing to read "Mark E. Schmidt", written over a horizontal line.

Mark E. Schmidt

mw1365567\_1

# **EXHIBIT A**



United States Patent and Trademark Office

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# SEAT SACK

<b>Word Mark</b>	SEAT SACK
<b>Goods and Services</b>	IC 022. US 001 002 007 019 022 042 050. G & S: Pouch made of nylon or other fabric fitted for placement over the back of a chair for use as storage. FIRST USE: 19920912. FIRST USE IN COMMERCE: 19970520
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78955618
<b>Filing Date</b>	August 18, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	May 29, 2007
<b>Owner</b>	(APPLICANT) Seat Sack, Inc. CORPORATION FLORIDA P.O. Box 9732 Naples FLORIDA 34109
<b>Attorney of Record</b>	Edward M. Livingston
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL-2(F)

Live/Dead  
Indicator

LIVE

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